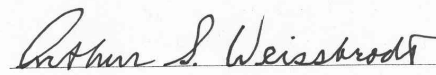




1 Zachary Tyson
2 Attorney Bar No. 262251
3 Nova Law Group
4 800 West El Camino Real, Suite 180
5 Mountain View, CA 94040
6 Attorney for Debtor

IT IS SO ORDERED.
Signed September 07, 2010


Arthur S. Weissbrodt
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

8 In the Matter of:) Bk. No. 10-57326
9 Sharon Mahoney)
10 Debtor) CHAPTER 13
11)
12) ORDER RE: MOTION TO VALUE
13) SECURED CLAIM OF SUNTRUST
14) MORTGAGE INC.
15)

ORDER VALUING LIEN OF SUNTRUST MORTGAGE (2nd DOT):

17 On August 6, 2010, the Debtor filed a Motion to Value the Secured Claim of SunTrust
18 Mortgage Inc. against the property commonly known as 192 Anaheim Terrace, Sunnyvale,
19 CA 94086. Filed with the Motion were:

- 20 (1) A Declaration of Debtor in Support of Motion.
21 (2) A Notice of Motion to Value Secured Claim and of Opportunity to Request
22 Hearing according to Bankruptcy Local Rule 9014-1.

23 The Motion and Notice were properly served by CERTIFIED MAIL on all interested
24 parties according to Bankruptcy Local Rule 9014-1. No Request for a Hearing or Objection
25 was subsequently filed by any interested party. The Court finds that Notice of the Motion was
26 proper. Upon due consideration, and for the reasons stated above, the Court hereby orders as
27 follows:
28

1 (1) For purposes of Debtor's chapter 13 Plan only, the Lien is valued at zero, SunTrust
2 Mortgage Inc. does not have a secured claim, and the Lien may not be enforced, pursuant to
3 11 U.S.C. §§ 506, 1322 (b)(2) and 1327.

4 (2) This order shall become part of Debtor's confirmed chapter 13 Plan.

5 (3) Upon entry of a discharge in Debtor's Chapter 13 case, the Lien shall be voided for
6 all purposes, and upon application by Debtor, the Court will enter an appropriate form of
7 judgment voiding the Lien.

8 (4) If Debtor's Chapter 13 case is dismissed or converted to one under another chapter
9 before Debtor obtains a discharge, this order shall cease to be effective and the Lien shall be
10 retained to the extent recognized by applicable non-bankruptcy law, and upon application by
11 the lien holder, the Court will enter an appropriate form of order restoring the Lien.

12 (5) Except as provided by separate, subsequent order of this Court, the Lien may not
13 be enforced so long as this order remains in effect.

14 (6) This order is supported by the Declaration of Zachary Tyson in support of Entry of
15 Default re Motion to Avoid Lien, which is document number 15 in the court's docket.

16
17 ***END OF ORDER***
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COURT SERVICE LIST

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Bankruptcy Department RVW
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